

CHAPTER 11

THE POSITION OF MATERNAL RELATIVES IN THE KINSHIP
SYSTEM OF THE EWE^x

TOM KUMEKPOR*

The Ewe are classified in the anthropological literature as a patrilineal society. This is accepted by the Ewe themselves and supported by most of their institutional practices. However, this statement needs some qualification in view of the coexistence with, or the acceptance, recognition, and continuing prevalence and importance of maternal relatives in, a so-called patrilineal kinship system. In fact, it is the recognition of this prominence of matrilineal relations in a patrilineal kinship system that led puzzled students of the Ewe inheritance system to describe it as "joint matrilineal/patrilineal", "mixed system of descent" or "a diverging transmission" of property, etc. This paper attempts to approach the system as one which grants:

- (a) automatic, immediate, practical inheritance considerations to patrilineal relatives while at the same time reserving
- (b) potential or conditional inheritance considerations to maternal relatives.

Both (a) and (b) are subject to the individual's character, past services to, and interest in, and identification with, the lineage whose property is to be inherited. Thus the Ewe system can adequately be described as one providing alternate ways of inheriting property or alternate ways of insuring that any serviceable child of good behaviour is not deprived but is provided for, in terms of property from which to make a living.

Throughout West Africa, much stress has been placed in the past on the continuity and expansion of the kingroup or the lineage group. The concern of the old has always centred around the fate of the lineage, after they have left this world. This is why the old, in their life time,

^x The data on which this paper is based was collected in the Circonscription de Klouto in the Republic of Togo and in the Some District of Ghana. I am grateful to Mr. Ben Agbodzie, who assisted me in the field work, and to Mrs. T. Kumeckpor for her criticism and suggestions.

* Mr. Kumeckpor is a Lecturer in the Department of Sociology, Legon.

struggle endlessly to leave something behind and exhort the younger generation through morality; religion, songs, and different institutional practices to act as trustees of what is left with them for the yet unborn; and if they can not add to it, at least to leave it intact as they met it. The conception of the lineage as comprising the dead (ancestors); the living (the trustees); and the yet unborn (future generation) reflects this idea.

Thus an important and indispensable element in the lineage or kingroup is the lineage property (usually in the form of land, stools, and gods) which not only assures the means of livelihood of the present and future generations but also acts as the practical material manifestation of their uniting bond. However, lineage property is not equally distributed among the different lineages in any particular locality. Thus there is always the possibility of the poorer lineages attempting to increase their own lineage property at the expense of the richer ones, while the latter are likely to do all they can to prevent the dissipation of lineage property to non-lineage members. There must be the assurance, supported by moral, religious and institutional practices, that whoever has access to lineage property will keep it for or transmit it to, lineage members and to no one else. Such people, (who incidentally among the Ewe are the patrilineal relatives) must not be given only automatic but also priority and lawful considerations over all others (e.g. maternal relatives, non relatives and strangers). These latter, if it becomes necessary, may be allowed access to non-patrilineage property only under such conditions as might make it difficult, if not impossible for them to divert it to their own patrilineage. Thus it is this fear of the property of lineage members being dissipated in the hands of non-lineage members, who might transmit it to the members of their own patrilineage and not necessarily a discrimination against maternal relatives per se that leads to clear cut, and sometimes rigid rules governing transmission of property. Thus an analysis of the structural arrangements of individuals controlling or supervising the distribution of inheritable property can give important insights, throwing light on the working of the system and its priorities and conditions as a whole. This type of analysis, for the Ewe system at least, can be approached through the study of two important Kinship concepts Tovi and Nyruie. It is hoped that an understanding of these concepts, the rights, duties obligations and

the elements of reciprocity involved in each of them will throw further light on the principles governing the transmission and inheritance of certain properties among the Ewe. The striking thing about these two concepts is that each of them relates a number of people to Ego for particular social situations. Thus in Ewe society, Ego stands in Toviyovi or Nyruieyovi relation with a number of persons and this involves rights, duties and obligations for both sides.

For purposes of this paper we shall briefly discuss the concept Tovi but go into some details on Nyruie, as it is this concept which bears most on the subject of maternal inheritance.

Tovi Literally means father's child. The concept refers to different levels of relationships:

(a) Fofovi-Tovi: refers to children (both sexes) of the same father but different mothers as found in polygamous marriages. They have common paternal but different maternal relatives.

(b) The concept also applies to children (male and female) belonging to different fathers who are brothers or paternal half-brothers. These children are Toga-Todi-Tovis.

(c) Same-Tovi: refers to all agnates (male and female usually related at least remotely and belonging to one Same (translated here for want of appropriate term as ward).

(d) Fome-Tovi: Very often, the term Tovi refers to Fome-Tovi i.e. all those belonging to the same Dzotsinu - (lineage) and having rights to inherit the same Ave (forest-lineage property). Very often these people trace their descent to a common male ancestor and belong to the same Same (Ward).

(e) When a brother leaves the town and resides permanently in another town, his descendants become Gbota-Tovi to his Tovis at home.

Another important unifying role of the Tovi relationship is that it compels people to look, not to very close relatives (brothers, Fofovi-Tovis fathers) but to more

distant ones (Togatodi-Tovis and Same Tovis) thus forcing the individual to look outside his immediate relations for help. The roles and duties involved in the Tovi relationship compel tovis to become highly dependent on each other in reciprocal role situations by institutionally restricting certain crucial and indispensable social duties to tovis only. This is significant because this tovi dependence has the force of binding together rather disparate elements of the kinship system who otherwise might be in conflict and not see the necessity of acting as a group. Thus this Tovi relationship creates an important bond Tovi solidarity in situations of crisis - among the Tovis.

Duties, obligations and rights of Tovis:

For purposes of this paper, we shall restrict ourselves to Tovi roles and responsibilities relating to the death of a Tovi and the inheritance and transmission of his property.

The Concept of Amedila or Todiame:

One of the cardinal tovi roles is concerned with death of members of the patrilineage. Responsibility over funerals and burials is never assigned to the deceased's own brothers. It is always that of a male who stand in Toga Todi Tovi relationship (agnate) to the deceased, who becomes Amedila. He is never selected in advance but at the time of death. In the same way the actual father of the deceased, (if still alive) does not assume the father role; this becomes one of the duties of the Tovi Amedila or the Todiame. It is he who selects the burial spot, summons grave diggers, leads the other tovis to swear an oath to the deceased and receives maternal relatives.

At the death of any one at all some property is left behind which is inherited by living relatives. The Tovi/Amedila or Todiame on his appointment, assumes responsibility over the administration of all the property (including children and wives) of the deceased. Theoretically, the property of the deceased belongs to the tovis who must administer it through the Amedila. The children traditionally cannot go to the deceased's farm to collect food unless the Tovis visit the farms and perform the necessary rituals. They cannot touch any property of the father unless with the permission of the Amedila, whose duty it is to inspect the deceased's property to decide which portion is to be set aside as lineage property and which is to go to whom. It is

here that the role of the Tɔvi becomes relevant to our discussion so far as the transmission is concerned. Theoretically, the Tɔvi's presence is to ensure:

- (a) that the children of the deceased are adequately provided for and that each receives his due share.
- (b) that the interest of the patrilineage is safe guarded in that any lineage property under the care of the deceased does not pass to non-patrilineage members, who might use it in the interest of their own patrilineage.

Thus it is this structural position of the Ameɖila who at the same time is the administrator of property to be transmitted or inherited that gives a clue to the fear of losing patrilineage property and the consequent restriction placed on automatic inheritance of maternal relatives. The Tɔvi-Ameɖila, who will be administering the transmission and inheritance of the property of a deceased beneficiary of maternal property, represents the interest of the deceased's patrilineage which he is there to foster. Unless possession of maternal lineage property by the deceased is well known and publicly acknowledged in advance, the odds are that this property will be transmitted to a member of the deceased's father's patrilineage, thus constituting a loss to his matrikin (mother's patrilineage).

Thus, where maternal relatives are known or shown to have good prospects of inheritance in their own patrilineage, they are usually not eligible for automatic immediate practical inheritance considerations, while their potential or conditional claim to inheritance considerations still remains recognised. It is the safeguards and conditions necessary for this potential inheritance consideration of maternal relatives that are implied in the Nyruie/Nyuiɛyovi relationship.

The concept of Nyruie:

This relationships develops as a result of the marriage of a woman, a daughter or a sister. Nyruie is used to define the relationship in which one stands to a mother's brother or a mother's Tɔvi not necessarily a mother's full brother. At another level the term is often generalised to cover all the males in one's mother's Same i.e. Same Nyruie as in the case of Same-Tɔvi. Marriage outside the town by a mother's brother or sister or tɔvi creates Gbɔta Nyruie or Gbɔta nyruieyovi which is the relationship between brothers, sisters, or tovis permanently resident

elsewhere Gbota and their descendants at home on the other hand.

To the Ewe, nyruie is the same as mother and the relationship invokes much emotion, "Nowo dzidzi fe viwo mate gu agble wo di o." meaning descendants of your mother's child would not forsake you". As children call their mother's brother tovi, Nyruie, so he in turn calls them Nyruieyovi - that is he who calls me Nyruie.

Implications of Nyruie - Nyruie yovi relationships:

"Nyruie must be respected as one's own mother, for he is a "male mother." If one is serviceable to one's nyruies and recognizes their importance and responsibility to one, then nyruies are not only likely to give financial and other types of help but also to give the nyruie-yovis their mother's share of her father's property. The obligations of nyruie to nyruieyovis here are specifically conditional upon the behaviour of the nyruieyovi towards his mother's brothers in particular and his mother's patrilineage in general.

Marriage:

Nyruies must be consulted in the marriage of their nyruieyovi. In case of a male - nyruieyovi, nyruies are expected to contribute financially and maternally towards the marriage cost, but their contribution varies according to the particular nyruieyovi's past behaviour towards them. But it should be noted that the Nyruies should not take the initiative in the marriage of their Nyruieyovi. However, in cases where the father refuses or is not able to marry for his son, the Nyruies would be obliged to marry for their nyruieyovi. Here again we find claims to maternal help conditional to demonstrated failure or inability on the part of patrilineal relatives to provide such help.

Where both sides agree to marry for their son and nyruieyovi respectively the father's share in the expenditure is usually greater. In this case the claim to maternal help is supplementary to paternal obligation.

When a female nyruieyovi is about to marry, the girls patrilineage inform her nyruies and seek their consent. Part of the drinks of the bridewealth are sent to the nyruie of the bride-to-be for libation to be poured in the two family lineages, to inform the ancestors of the great occasion and to ask for their blessing for the

prosperity and fertility of the marriage. The participation of the father's and mother's patrilineages in the marriage ceremonies is expressed in the popular saying which underlines the fundamental dualism in Ewe kinship system "Vi le tofe le nɔfe", that is "a child belongs to both his father's patrilineage and his mother's patrilineage".

Gifts are expected from a nyruie at the birth of a nyruieyovi before he first touches or first carries the child. (This is called Adetsotso na nyruieyovi). This implies recognition of a nyruie's duties to his new born nyruieyovi, as well as invoking his rights in the child. Nyruies can also provide fire-arms for a male nyruieyovi. In this case, the gun is fired first in the nyruie's Same before being fired in the father's

Nyruie can also help, or provide sufficient funds for a nyruieyovi to build a house. In the past, it was a tradition that when a nyruieyovi is to enter his yam-barn of his nyruie for the first time the nyruie blocks the entrance with a parcel of specially chosen yams saying "Metu mɔ na wɔ", meaning, "I block your way". The nyruieyovi packs these gifts outside before entering the barn. The significance of this lies in the expression of joy and appreciation towards the nyruieyovi. It is an instance of privileged snatching of food by sister's children prevalent in patrilineal societies. The Nyruie - Nyruieyovi relations and the rights of the nyruie and his duties and obligations discussed above are an instance of complementary filiation discussed by Meyer Fortes in his work Kinship and the Social Order (1971:98)

Inheritance:

When a man dies, theoretically at least part of his property belongs to his tovis. In actual fact, the tovis may only act as administrators to see that justice is done in the sharing of the properties to the deceased's children who are also his tovis and other close relatives. The Tovi Amedila or Todiame is given responsibility over the property until its transmission to eligible relatives is complete.

In most places some property however small is set aside to become part of lineage property. Note is also taken of plural wives, that is in cases where the man has many wives the property is divided according to the number of wives and their children. Childless wives are usually left out but

cared for by the Ameqila till they remarry.

There is no doubt that a man's property is for his children, both male and female. However, inheritance or succession is not automatic and the system is not so rigid as to exclude all others, including non-lineage members. In sharing property, service to the deceased and the individual's interest in, concern for, and past services to, the lineage are taken into consideration before being given his share.

Although descent and inheritance are patrilineal, the following elements and factors (a clear manifestation of the dualism in Ewe kinship system) enter most situations of transmission, and inheritance of, property.

Female children have the right, just as male children to inherit property although their share is smaller than their brother's. Each has the right to transmit this property to their own male or female children who, although not members of her patrilineage, can continue to enjoy the use of it so long as they are not disrespectful to their Nyruies and perform the necessary rituals required of them at the right time.

Apart from property inherited from their lineage, women have the right to acquire property in their own right and they do so. This they may transfer to their own children and their descendants. This becomes Nõnu or Ma-manu to their children (male and female) and their descendants. This gives rise to a particular type of inheritance called Nõnuququ or Mamanuququ (inheritance of a female owned property through both males and females). This injects a considerable maternal inheritance element, into a system theoretically considered patrilineal. More important is the fact that the provision in the Ewe system for women to create Nõnu or Mamanu which is passed to their own children (both male and female) and their descendants gives rise to a peculiar property owning group, the members of which trace right to such a property either through a male or a female to an original Mama or ancestress.

If a woman marries outside her own lineage or town and there occurs marriage instability, divorce, or death or any other incidents and she returns to stay in her own lineage with her children, if it is shown that the children's fathers and Tavis are unwilling or unable to care for them while in her father's house with her children, the woman can be given her share of her father's property (usually land etc.). This property does not however become an

automatic property to the children. They can only be allowed a continual use of it if they prove to be very respectful, and serviceable to their nyruies and show continuous interest in, and identify themselves with, their mother's patrilineage. Their children can also be allowed the use of such property so long as they remain with their mother's patrilineage and are of good behaviour.

When a child is fatherless, an orphan or if the father can not be traced he is accepted by the mother's patrilineage and given the Nyruie's property to inherit, subject to conditions specified above. Virgin forests can be given to a nyruieyovi to farm on, but may be requested to share the products with the mother's tovis. This is a testimony of the mother's tovis right over the land as well as a respect and gratitude shown for the kindness of the nyruies. This could later on help to consolidate his right in such a land.

How do maternal relatives consolidate property transmitted to them by the Nyruies?

Theoretically lineage property should not be given to non-lineage members. Self acquired property may, but under certain conditions. In practice, however, many non-lineage members in Eweland are beneficiaries of property acquired from maternal relatives. As emphasized earlier, the system is flexible enough to take individual situations into account in the transmission of property. The important principle is that every serviceable child should be provided for. Different institutional practices have developed giving status to maternal kinfolk in their mothers' patrilineages.

Marriage of a matrilineal kinsman into his mother's patrilineage.

Tasivi-Nyruievi marriage - marriage between a sister's son and a brother's daughter: matrilinear cross-cousin marriage : - This type of marriage has the effect of keeping 'lineage property which should go to a woman in the patrilineage as well as allowing a maternal relative a nyruieyovi- a sister's son) to have quasi - legal access to his mother's patrilineage property. In the olden days, whenever such a marriage was contracted a piece of land was put at the disposal of the girl by her father who is also a Nyruie to the husband, for the maintenance of the children of the marriage. By marrying his daughter to his sister's son he has ensured that his daughter's children

would have a right of inheritance in their Nyruie Paternal grandfather's lineage.

Yoxo or Akoko Marriage:

This is similar to Tasivi/Nyruievi marriage but works on a different principle. When a woman marries outside her lineage or outside her town, she is traditionally required to send a Yoxo or Akoko that is her second, third or fourth daughter to marry in her own patrilineage. By this institution of Yoko marriage a woman married outside her lineage consolidates her right of being buried by her tavis. After the Yoxo also has given birth to about two or three girls, she in turn sends back one to marry in her own patrilineage. Although the mother and her patrilineage may not have the final say in the marriage of the other daughters of woman, it is accepted and institutionally recognized that in the case of Yoxo or Akoko the mother and her patrilineage have a final say in her marriage decision and it is usually preferred that she marries back into her mother's patrilineage or Same or town.

These two types of marriage lead to many inter-lineage connexions and bonds and relations in which the children of a marriage "call" Togbis (grandfather) and Nyruies in the patrilineage of their father and that of their mother. These types of inter marriages make it difficult to prevent maternal inheritance, because they make it difficult to assess the type of inheritance rule to invoke in any particular case.

Traditionally before palm wine is provided for a marriage, a piece of forest from the woman's patrilineage is allotted to the bridegroom to enable him to fell palm trees for palm wine. The forest from which the palm trees were felled for palm wine for a woman's marriage automatically become land for her children to farm. This, the mother Tavis can allow their nyruieyovis to have access to.

"Widow inheritance"

Widow Inheritance

In some parts of Ewe land a nyruieyovi is allowed to marry the widow of his nyruie and to assume responsibility over all the assets of the nyruie as well as being entrusted with the care of the children.

Consolidation of claims to use of property of mother's patrilineage matrikin by public acknowledgement of gift.

Gifts of small movable items or foodstuffs, or money to a nyruieyovi usually do not constitute any problem since they are treated on a personal level. However, when the gift is substantial or consists of immovable property, whether lineage or self-acquired, it is likely that the children of the nyruie or Tovi may challenge the right of the nyruieyovi over such a property, either after the death of the Nyruie or when the nyruieyovi attempts to pass this property over to his own children. To prevent such unpleasant situations which might create ill-feelings among relatives, it is customarily required of a nyruieyovi to "thank" his nyruie publicly in the presence of member of both lineages. Depending upon the nature, size and importance of the gift, the nyruieyovi provides drinks and a sheep which he and his tovis take to the nyruie and his tovis. It is important for the children and tovis of the donor nyruie to be present^x.

The important thing to remember is that representatives of the two patrilineages (Nofeme-maternal relatives) and Tofome (paternal relatives) are represented at the ceremony. Libation is poured to the ancestors who are informed of the purpose of the meeting. The animal is then slaughtered and shared to different members of the two lineages. The donor nyruie is given the shoulder. This is called Nunamebo or Nyruiebo. Part of the meat is also cooked for all present to enjoy. This ceremony publicly announces the gift and gives the nyruieyovi full right of use over it. Despite this, the transmission of this nyruie inherited property to the nyruieyovi's children at his death is not automatic but is a function of the amount of respect and obedience shown by the nyruieyovi to his nyruie as reflected in their behaviour towards, concern for, and demonstrated interest in, the affairs of their nyruie and the nyruie's patrilineage. It is important to note that no time period or time limit is set on the use of the property by the nyruieyovi. The presence of the tovis on both sides is particularly note worthy due to their important role as administrators of their tovis property at the latter's death. The tovis of the donor nyruie must be there to take note of the change of hands of the property, while those of the receiver nyruieyovi will also note that the property being given to their tovi is a

x Note the importance of Tovis even in situations outside their own patrilineage.

gift from his maternal relatives and should not be confused with ~~either~~ patrilineage property.

Ceremonies on the death of a Nyruie

Activities of nyruieyovis on the death of their nyruie also help to consolidate their position with respect to property inherited from their maternal relatives on the one hand and brighten their prospects for such property on the other.

On the death of a nyruie, nyruieyovis must

(1) Select a leading nyruieyovi - Kutsia to represent them with respect to the Kufomea - the bereaved patrilineage.

(2) As a non-agnatic group (genealogical extent not limited) they should attempt to claim the body and accuse the bereaved patrilineage that their nyruie died as a result of their carelessness.

In the struggle (sometimes serious sometimes mock) the nyruieyovis should at least succeed in taking away a cloth covering the chest of the deceased person for which the bereaved patrilineage must pay some token money to redeem. This ceremony has at least three purposes:- (1) to demonstrate the sorrow of maternal relatives at the death of a Nyruie. (2) to remind the bereaved patrilineage of the maternal relatives claim-over their nyruie. Vi le tofe le nofe A child belongs to both his matrilineage and the patrilineage and (3) to show that they are also his children.

(3) Nyruieyovis should provide a man's cloth Nyruie "to cover the chest" of their dead nyruie. They can provide ornaments to adorn the body in state.

(4) They should send drinks to the grave diggers and and to the carpenters who prepare the coffin.

They are expected to assist the bereaved patrilineage with drinks and help to cater for the out-of-town visitors to the funeral. They arm themselves and amidst war songs (adeha), go to swear an oath to their uncle in state, after the Tovis. This ceremony is referred to as Gbedodo na amekuku, that is paying the last respects to a deceased.

Nyruietudada:- Firing musketry for a nyruie - At the funeral celebrations, the nyruieyovis, accompanied by

their Tavis, arm themselves woabla agbadza and amidst war songs adeha march sorrowfully, amidst firing of musketry, to the bereaved family and hand them gifts of money, drinks, etc. The leading Tavi or Ameila receives them and after thanking them, disarms them (Ege Agbadzale Ali na wo) with a goat or sheep and some drinks. The animal is referred to as Notsigba - (reward for the breast) recognising the right of the mother in the child and the role of sororal relatives.

It is often said that the performance of all the above ceremonies, especially Nyruietudada depends upon the amount of inheritance one has or expects or the size of the productivity of a farm inherited from a nyruie. This need not necessarily always be the case it may merely be a function of the prosperity of the nyruieyovi who decides to give a fitting funeral to his nyruie.

Nyruietudada is no more common in most places because the Christian Churches condemn it as pagan and unchristian practice. Instead money is collected and sent to the bereaved relatives. The ceremonies at the funeral of a nyruie and the respective rights accorded to, and the obligations of, the two lineages, (both father's and mother's patrilineages) clearly demonstrate the dualism in Ewe kinship system. Both lineages (father's and mother's patrilineage) are given prominent places in all the ceremonies and expected to contribute in every respect with the only difference that the father's patrilineage is given precedence in matters of procedure and protocol.

Residence and Service to matrikin and claims to rights to property

In some cases nyruieyovis, either due to loss of their father or some other reasons, come to stay with their nyruies when very young and grew up in their household. For all practical purposes they become integrated in their nyruie's patrilineage. In such cases they are adopted (no legal adoption exists among the Ewes) and can be given inheritance rights. In some areas, especially in the Some traditional area, where sister's children were expected to be sent by their mother to stay and remain with their brother or when the mother's brothers claim their sister's children to help them, these nyruieyovis are not merely - given property as gifts but are accorded right of inheritance as a sign of gratitude for the nyruieyovi who helped the nyruie to acquire or

develop the property. Such a property is never claimed by nyruie's children.

In this case the right to inherit the nyruie is based on the fact that the child has lost his inheritance possibilities in his patrilineage, which he has abandoned to work with his nyruie. Inheritance should come from his nyruie for whom he has worked all along and who has adopted him as a kind of son.

Right to use a female nyruieyovi to redem a debt or to pay compensation to a god (Fiasidi).

In areas where brothers can use their sister's child to redeem their debts, sister's children nyruieyovis also have the right to inherit their property. This practice is common in the Some Aflao traditional areas. The foundation of this practice is that according to tradition, brothers had enough control over their sisters' children in the olden days to prevent them from being sold into slavery by their father. Because of this historical event, brothers claimed the right to use their nyruieyovis to redeem their debts which resulted in the reciprocal claim of sister's children to inherit the property of their mother's brothers. This practice used to be prevalent in Some traditional area, where a sister's child is referred to as Sronyivi. Here, patrilineal inheritance (Todomequdu) is possible only when a child is very submissive to the father. According to one informant, inheritance by Nyruieyovis in Some dates as far back as Ntse (traditional home of all Ewes). It was the duty of a nyruie to gather the children of his sister under his care and it was this which also gave the nyruies the right to use them to redeem their debts. According to this information, maternal inheritance remained the practice in Some traditional area until the British changed the system and Dufiaga Adama (Paramount Chief of Some) gave this new practice a local recognition.

There exist certain gods (Trɔxovi or Fiasidi Vodun) especially among the Southern Ewe, which must be pacified by the sacrifice (not killing) of a female maternal relative, that is female nyruieyovi. Because of this, certain properties set aside as Nonu (that is, maternal property) are guaranteed for maternal relatives to enjoy. Thus the acceptance of the right of maternal relatives to inherit property, and the fact that some properties are set aside as Nonu for such purposes, are the result of

the practice of using these maternal relatives either to redeem debts of their nyruies or pacify Fiasidi Vodus. As such, they must also be given the right to inherit property of their maternal relatives. These practices are common in the Some and Aflao traditional areas. It seems that rights or claims to direct inheritance of matrilineal property are associated with right of maternal relatives to have certain claims such as the right to use these relatives to redeem debts or to pacify gods. Thus in those parts of Eweland, where maternal relatives do not have such rights over their nyruieyovis, direct inheritance by maternal relatives is non existent

Ritual rights:

Maternal relatives have rights to worship and participate fully in shrines and rituals of their matrikin. They can, however, not succeed to priestly posts reserved for patrilineal relatives.

Succession to Political posts:

Succession to political posts is restricted to members of certain patrilineages only. Sororal relatives can not succeed to such stools. However, there are instances of maternal relatives with long service in the royal house succeeding their nyruies as chiefs (as trustees on condition that the succession line reverts to the original one after death.) Fear of new stools killing their occupants is the explanation given for the history of slaves or sororal relatives occupying stools, especially in Dzodze and Some traditional areas where it was legitimate for a nyruieyovi or even a descendant of slaves to succeed to a stool.

In the Some traditional area, the history of maternal relatives occupying stools in the past is explained by the fact that since a distinguished war leader Avafia who has been given Kakla (a special herb) at the battle field (Dzogbe) could not create a stool in his honour or in his name because he was bloody. On his death, it was the duty of a Nyruieyovi, who had long stayed with him, to create this stool in honour of his nyruie. This nyruieyovi was then required to occupy the stool and its corresponding stool properties (which in this case are the nyruie's properties) till the time the stool requires its own

child to succeed to it.

We have by the use of kinship terminologies Tovi and Nyruie attempted to examine instances of participation of maternal relatives in the kinship system of the Ewe, especially with respect to transmission of property and the duties and conditions that go with it. The discussion revealed that although children inherit the property of their fathers, other peculiarities of the system allow maternal relatives to have different degrees of property rights in the system. Some of these factors responsible for the prevalence of participation of maternal relatives in the transmission of patrilineal property are:

1. The right of women to inherit property and transmit to their children,
2. The right of women to acquire property on their own and transmit it to their own children, both males and females.
3. The close relationship between the individual and his maternal relatives, which is stressed by insisting that the individual belongs to both his father's patrilineage and that of his mother and that he has specific but important roles and duties in each.
4. Existence of different types of preferential marriages and certain types of properties going with these marriages.
5. Existence of certain rights of brothers over their sister's children, resulting in reciprocal obligations of brothers to their sister's children.
6. Ownership of some lineage property being traced to original female ancestors and not to males.
7. Concern of Ewe Society that each child be adequately provided for by his kinsmen.

Analysis of the roles and obligations implied in the concept Tovi revealed that Tovi relationship creates a sort of dependence binding rather disparate elements of the kinship system which otherwise might be in conflict instead of acting as a group. Theoretically, the structural position of the Tovi Ameqila as the administrator of the deceased persons, property and the patrilineage's representative, for the purpose of funerals and transmission of the property of the deceased person to those eligible, throws light on the necessity for the many conditions attached to access of maternal relatives to patrilineage

property. Structurally the Amedila, administrator of the deceased property, represents the patrilineage of the deceased and not the patrilineage of the Nyruie donor; as such, he has no interest in returning maternal property in the possession of his deceased Tovi. On the contrary, it will be in his interest to keep such a property in his patrilineage. This is very important since theoretically, the property (at least part of it) of a deceased person belongs to his tovis whose duty it is to share this equitably among the children of their late Tovi. Thus, structurally at least, since the matrikin have no representative on the body that decides on the disposal of a deceased's property, it has no guarantee that any of its property passed to non-patrilineal relatives will be returned and not passed on to the patrilineal descendants of the deceased. It is in this light that the many conditions that are attached to access of maternal relatives to patrilineal property must be understood. The institutional practices that develop out of these conditions are a means of making publicly known to all, especially to the tovis of maternal relatives, the passage of any property from their Nyruies, while some of these practices are merely intended to give public acknowledgement of the gift of such properties to maternal relatives, others are attempts to give inheritance status to these maternal relatives or attempts to help Nyruies out of the dilemma in which they find themselves, by providing solutions that are acceptable to their tovis and their own children and at the same time giving guarantee and security of tenure to their nyruieyovis.

On the whole, the Ewe system can be described as a very flexible system, which although giving inheritance priority to a man's own children, provides adequately for other relatives to derive some benefit from their maternal relatives especially in cases where these maternal relatives have no other source of help or where they have helped their Nyruie to acquire or develop his property. The system therefore provides direct inheritance rights to sons and paternal relatives while at the same time providing alternative methods of acquiring property to others.

The Nyruie and Tovi relationships make it possible for a lineage in trouble to draw on the resources of non-patrilineal relatives and on their Tovis not only at home but also outside the town.

The complicated preferential marriage system that

develops either as an attempt to keep lineage property within the lineage or to give inheritance status to non patrilineage relatives has resulted in an equally complicated kinship system in which it is at time difficult to differentiate patrilineal relatives from others; this makes it more difficult to decide easily what inheritance principles to invoke at any particular time.

On the whole the system has helped the development of a friendly and co-operative attitude between patrilineages and corresponding matrikin. One hardly finds it necessary to make these differences except during religious occasions when specific relatives are ritually expected to perform certain functions. Another important factor helping the blurring of these lineage differences is the changing importance of lineage property itself. The most important lineage property among the Ewes is land. With migration and the increasing pressure of population on land, the meaning and importance of lineage land is changing, especially when individuals can acquire their own land. The chances are that many Ewe will continue looking both ways. The more important one is socially and economically the more likely he will be claimed by both patrikin and matrikin.

Bibliography

- | | | |
|-------------------------|------|---|
| Fortes M. | 1970 | <u>Kinship and the Social Order.</u>
Routledge and Kegan Paul. |
| Goody J.,R. | 1959 | <u>Mother's Brother in West Africa,</u>
<u>Journal of the Royal Anthropolo-</u>
<u>gical Institute,</u> |
| Nukunya G.K. | 1969 | <u>Kinship and Marriage among the</u>
<u>Anlo Ewe.</u> The Athlone Press. |
| Nukunya G.K. | 1972 | Report on Land Tenure and Inhe-
ritance in Anloga - <u>I.S.S.E.R.</u>
<u>Technical Report No.30,</u>
University of Ghana, Legon. |
| Ollennu N.A. | 1966 | <u>Law of Testate and Intestate</u>
<u>Succession in Ghana.</u> Sweet and
Maxwell. |
| Radcliffe-Brown
A.R. | 1924 | The Mother's Brother in South
Africa, <u>South African Journal of</u>
<u>Science</u> 21: 542-55. |
| Ward B.E. | 1955 | "An Example of a "Mixed" System
of Descent and Inheritance in
<u>Man</u> , Vol. LV. Article 2, pp.3-5. |

APPENDIX

THE SHARING OF MEAT GIVEN BY A NYRUIEY^{ovi} TO
HIS MATERNAL RELATIVES

Traditionally whenever a man kills an animal, he should send some specified portions to his maternal relatives. However, there are two occasions when the sharing of meat becomes important in terms of inheritance and kinship.

- (a) When a Nyruiey^{ovi} presents a goat to his Nyruie to express his gratitude for, and publicly announce, a gift and
- (b) During a Nyruie's funeral celebration when the Nyruiey^{ovi} presents a goat or a sheep to the Toq^{iame} or Amedila amidst the firing of musketry This is known as Nyruietudada.

The animal presented to the Nyruie is slaughtered and shared as follows:-

The shoulder is given to the Nyruies (the mother's patrilineage). This is called Nyruie B^u. The implication of this is that the shoulder symbolises the arm. The Nyruies who are the "mother" need arms to carry their children. But in cases where the nyruie presents the goat to the nyruiey^{ovi} it is called Notsi gbo; reminding the child of the breast he had suck.

Since funerals and major cases, such as land disputes between different lineages, are the responsibility of one's patrilineage, the head, the neck end of the neck are sent to one's lineage head or at times to the Amedila in cases of a funeral. The head symbolises the situation in which one's patrilineage needs a head to ponder over the matter, a neck to carry the cases and then be reassured of the courage for winning the case. They would hit their chest or breast in claiming ownership of the property, thus the breast is given to them.

The priority of one's patrilineage over the mother's patrilineage is often shown through the presentation of some specific portions of the animal to the two sides. The hind leg is usually sent to one's patrilineage and the shoulder to one's matrikin. The hind leg is normally larger than the fore leg. Thus, it is often said that 'Lā bō me lolo na wua lā ta o'. (The shoulder is never

bigger than the thigh).

It is the responsibility of the traditional chiefs always to attend the funeral ceremonies of any deceased member of their town. They are supposed to be present before the pouring of libation which always precedes the firing of musketry. During this firing of guns, an animal, either a goat or a sheep, is slaughtered. As a sign of respect, the chiefs are given one of the legs (thighs). This is shared among them as follows:

The fillet of the leg (thigh) goes to the Paramount chief; an area just below this is given to the Senior Divisional Chief; further downwards lies the Suo-divisional Chief's share. This cutting continues till the shank end of the leg is reached and this is given to the lowest divisional chief, who is normally almost of the rank of a prominent lineage head. This sharing of the leg of the animal from the broader portion to the narrowest end symbolizes the hierarchical arrangement of the chiefs.

The jaw of the animal is given to the state/village linguist who needs a jaw to talk with eloquence.

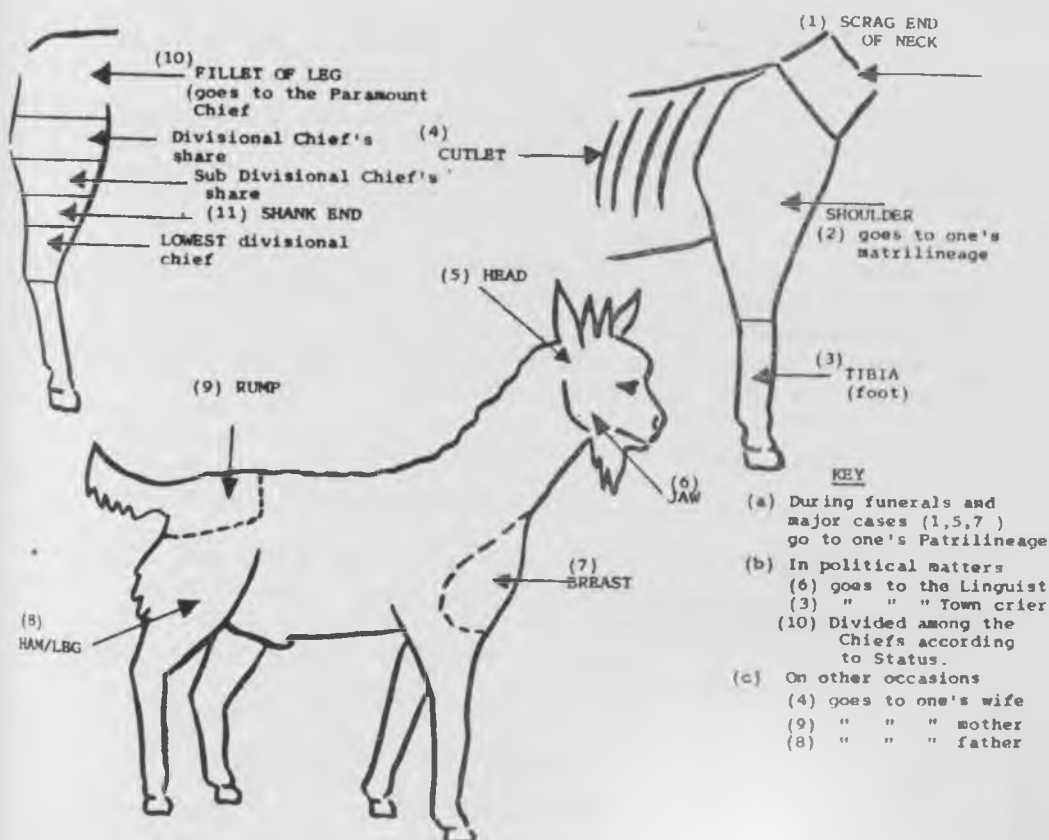
The tibia or foot (usually the four feet) are given to the town crier, who needs legs to walk while announcing death and funerals.

It is also important to note that one leg is given to the father of the deceased or the grandfather if he is alive.

The rump is given to one's mother. The implication of this being that when one's mother is pregnant she needs a loin to carry the child; when labouring for birth the greatest pain is felt in the loins and after the birth of the child she needs buttocks to sit on while nursing the child. Thus by giving her the rump she is constantly reminded of the appreciation of her efforts and of her role as a mother.

The outlet or the thorax is given to the wife. This implies that when someone is sick it is his wife who stays by to comfort him. When he wants to wake up she holds him by the thorax and lifts him up. She then holds him by this same thorax while walking him about. Thus her efforts are rewarded by the presentation of this outlet.

On the other hand one should not lose sight of the fact that all these portions of meat are accompanied by some specific portions of the intestine. The leg (thigh) which is given to the chiefs is often accompanied by pieces of the liver, the heart, the lung, one kidney and some rolled small intestines. Similar parts accompany the shares which go to the father's and mother's patrilineages respectively. But since mothers and wives are said to possess no heart for any retaliatory or violent action and since they are not courageous enough their share is never accompanied by part of the heart or liver. They may, however, be given the large intestine. Children are often forbidden to eat the liver and heart of such ceremoniously slaughtered animals.





This work is licensed under a
Creative Commons
Attribution – NonCommercial - NoDerivs 4.0 License.

To view a copy of the license please see:
<http://creativecommons.org/licenses/by-nc-nd/4.0/>

This is a download from the BLDS Digital Library on OpenDocs
<http://opendocs.ids.ac.uk/opendocs/>